

DAVIS & GILBERT LLP
Marc J. Rachman (MR 4094)
1740 Broadway
New York, New York 10019
(212) 468-4800
Attorney for Plaintiff
The Mayatech Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE MAYATECH CORPORATION,

Plaintiff,

Case No. 07-CV-4823 (DC)

v.

LLOYD BURKETT and MAYATECH
CORPORATION d/b/a HITECH EXPRESS and,
d/b/a HITECH NUTRITION

**NOTICE OF MOTION TO
ADMIT COUNSEL *PRO*
*HAC VICE***

Defendants.

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PLEASE TAKE NOTICE that upon the annexed affirmation of Marc J. Rachman, Esq., affidavit of Joshua S. Jarvis, Esq. and the Certificate(s) of Good Standing, Plaintiff The Mayatech Corporation ("Plaintiff") will move this Court before the Honorable Denny Chin at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of Joshua S. Jarvis, Esq., an associate of the firm of Foley Hoag LLP and a member in good standing of the Bar of the Commonwealth of Massachusetts and the State of New York, as attorney *pro hac vice* to argue and try this case in whole or in part as counsel for Plaintiff.

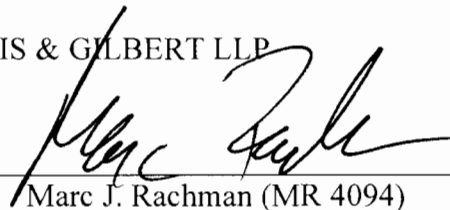
622347 #25 7-27-07 11Q

Dated: July 25, 2007
New York, New York

Respectfully submitted,

DAVIS & GILBERT LLP

By :

A handwritten signature in black ink, appearing to read "Marc J. Rachman", is written over a horizontal line.

Marc J. Rachman (MR 4094)

1740 Broadway

New York, New York 10019

(212) 468-4800

Local Counsel for

The Mayatech Corporation

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CORPORATION d/b/a HITECH EXPRESS and
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Defendants.

**DECLARATION OF MARC J.
RACHMAN, ESQ. IN SUPPORT
OF APPLICATION OF
JOSHUA S. JARVIS, ESQ. FOR
ADMISSION *PRO HAC VICE***

-----X

MARC J. RACHMAN, Esq., an attorney admitted to practice in the State of New York, pursuant to 28 U.S.C. § 1746, hereby declares, under penalty of perjury, that the foregoing is true and correct:

1. I am a partner with the law firm of Davis & Gilbert LLP. I have been a member in good standing of the Bar of the State of New York since 1994 and of this Court since 1998. I submit this Declaration as sponsor in support of the Joint Motion for an Order permitting Joshua S. Jarvis, Esq. to practice before this Court in connection with all proceedings in the above-captioned matter.

2. Mr. Jarvis is an associate of the firm Foley Hoag LLP, with an office located at 155 Seaport Avenue, Boston, Massachusetts 02210. Mr. Jarvis is a member in good standing of the Bar of the Commonwealth of Massachusetts and the State of New York.

3. In compliance with Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I have attached as Exhibit A to this Declaration a Certificate of Good Standing for Mr. Jarvis issued within the past thirty days by the Clerk of the Supreme Court of Massachusetts and New York.

4. I have also attached as Exhibit B to this Declaration the Declaration of Joshua S. Jarvis, Esq. (the "Jarvis Declaration"). Plaintiff The Mayatech Corporation respectfully requests that the Jarvis Declaration be considered part of his application for admission *pro hac vice* in this case.

5. Also submitted with this motion is a proposed Form of Order.

Dated:

7/25/07
New York, New York



MARC J. RACHMAN

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twenty-ninth** day of **November** A.D. **2005**, said Court being the highest Court of Record in said Commonwealth:

Joshua S. Jarvis

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **thirteenth** day of **July**
in the year of our Lord **two thousand and seven**.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

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SOUTHERN DISTRICT OF NEW YORK

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CORPORATION d/b/a HITECH EXPRESS and,
d/b/a HITECH NUTRITION

**DECLARATION OF
JOSHUA S. JARVIS, ESQ.**

Defendants.

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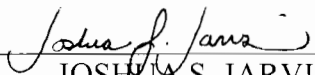
JOSHUA S. JARVIS, Esq., an attorney admitted to practice in the Commonwealth of Massachusetts, pursuant to 28 U.S.C. § 1746, hereby declares, under penalty of perjury, that the foregoing is true and correct:

1. I am an attorney admitted to practice in the Commonwealth of Massachusetts.
2. I am an associate of the firm Foley Hoag LLP, with an office located at 155 Seaport Avenue, Boston, Massachusetts 02210. My telephone number is (617) 832-3018.
3. I submit this Declaration in support of the motion for my admission *pro hac vice* to represent Plaintiff The Mayatech Corporation in the above-captioned matter.
4. I have been a member in good standing of the Bar of the Commonwealth of Massachusetts since 2005. I was also admitted to practice before the United States District Court for the District of Massachusetts in 2005.

5. I am not under suspension or disbarment by any court.

6. I recognize that if I am admitted *pro hac vice*, I am within the disciplinary jurisdiction of the United States District Court for the Southern District of New York. Upon my admission *pro hac vice*, I agree to comply with all applicable New York Local Rules of Civil Procedure.

Dated: July 11, 2007
New York, New York


JOSHUA S. JARVIS

DAVIS & GILBERT LLP
Marc J. Rachman (MR 4094)
1740 Broadway
New York, New York 10019
(212) 468-4800
Attorney for Plaintiff
The Mayatech Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE MAYATECH CORPORATION,

Plaintiff,

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-against-

LLOYD BURKETT and MAYATECH
CORPORATION d/b/a HITECH EXPRESS and
d/b/a HITECH NUTRITION,

**ORDER FOR ADMISSION *PRO*
HAC VICE ON WRITTEN
MOTION**

Defendants.

ECF CASE

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Upon the motion of Plaintiff THE MAYATECH CORPORATION, supported by the Declaration of its counsel Marc J. Rachman of Davis & Gilbert LLP as sponsor, for Joshua S. Jarvis, Esq.;

IT IS HEREBY ORDERED that

Applicant's Name: Joshua S. Jarvis, Esq.

Firm's Name: Foley Hoag LLP

Address: 155 Seaport Avenue

City/State/Zip: Boston, Massachusetts 02210

Telephone/Fax: (617) 832-3018/ (617) 832-7000

Email Address: jjarvis@foleyhoag.com

is admitted to practice *pro hac vice* as counsel for THE MAYATECH CORPORATION in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated:

New York, New York

United States District/Magistrate Judge

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Attorney for Plaintiff
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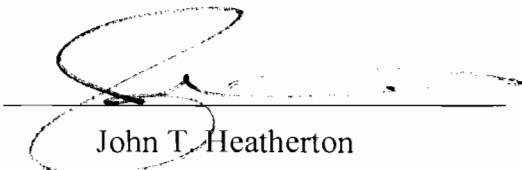
STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

John T. Heatherton, being first duly sworn on oath, deposes and states as follows:

1. I am over 18 years of age, I am employed by Davis & Gilbert LLP, 1740 Broadway, New York, NY 10019 and I am not a party to this action.

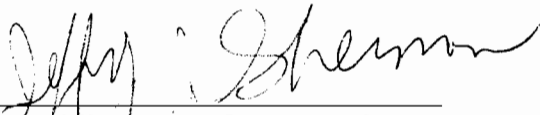
2. On July 27, 2007, I served the foregoing **Notice of Motion To Admit Counsel Pro Hac Vice** by first-class mail, by depositing a true of the attached papers, enclosed and properly sealed in a postpaid envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, addressed to each of the following persons at the last known address set forth below:

MEREDITH & KAYHANI, PLLC
330 Madison Ave., 6th Fl.
New York, NY 10017



John T. Heatherton

Subscribed and sworn to before me
this 27 day of July, 2007



Notary Public, State of New York

JEFFREY J. SHERMAN
Notary Public, State of New York
No. 01SH6079080
Qualified in New York County
Commission Expires August 12, 2010